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**FACSIMILE COVER LETTER**

**To:** Special Programs Examiner  
Technology Center 2154

**Firm:** The United States Patent and Trademark Office

**Facsimile:** (703) 872-9306

**From:** Samuel S. Lee

**Date:** October 18, 2004

**Re:** U.S. Patent Application Serial No. 09/656,969  
Our Ref.: 450110-02767

**Number of Pages:** 5  
(Including cover page)

**cc:**

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**ATTENTION: PETITIONS: SPECIAL PROGRAMS EXAMINER,  
TECH CENTER 2154**

Dear Sir:

In connection with the Application referenced above, the following documents are submitted herewith:

- Petition under 37 C.F.R. 1.181 to Request Remailing of Final Office Action Purportedly Issued on May 5, 2004
- Copy of Docket Log Sheet

Please acknowledge receipt by return facsimile.

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450110-02767

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant : Yiming ZHOU  
Appl. No. : 09/656,969  
Filed : September 7, 2000  
For : DISTRIBUTED SERVICE PROVIDER  
Art Unit : 2154  
Examiner : ZHONG, Chad

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OCT 18 2004

745 Fifth Avenue  
New York, New York 10151

**FACSIMILE**

I hereby certify that this paper is being transmitted to facsimile No. 703-872-9306 to the Patent and Trademark Office on the date shown below.

Samuel S. Lee, Reg. No. 42,791 for

Type or print name of  
person signing certification



Signature

October 18, 2004

Date of Signature

**PETITION UNDER 37 C.F.R. 1.181 TO REQUEST REMAILING OF A FINAL OFFICE ACTION PURPORTEDLY ISSUED ON MAY 5, 2004**

Special Programs Examiner  
Technology Center 2154  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is a Petition to request a re-mailing of the Final Office Action that issued and was purportedly mailed on May 5, 2004.

As there was no activity on the above file, on or about September 29, 2004, I asked Jessica Ingoldt, a secretary with this Law Firm, to check the status on the Patent

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Application Information Retrieval system (herein "PAIR") of this application. Ms. Ingoldt informed me that PAIR showed the latest activity as the issuance of a Final Office Action with a mailing date of May 5, 2004. Immediately upon learning this, I telephoned Examiner Chad Zhong. Examiner Zhong telephoned me on October 13, 2004, and confirmed that a Final Action did issue and that it was mailed out on May 5, 2004.

Applicant's attorney has examined his file of the above-identified application, but no Final Office Action was found therein. A copy of the docket log sheet of all incoming mail from the Patent and Trademark Office with a mailing date of May 5, 2004, is enclosed as evidence that Applicant's attorney never received the subject Office Action for Application Serial No. 09/656,969. As can be seen, the Patent log sheet for PTO mail date May 5, 2004 does not include an entry for Serial No. 09/656,969. Petitioner verily believes that said Office Action, if mailed, has gone astray, or alternatively, the Post Office did not deliver the same to the correct official address of applicant's attorney, and therefore, no response has been filed for the Office Action dated May 5, 2004.

On October 13, 2004, Examiner Zhong sent via facsimile, a copy of the subject Office Action to Applicant's attorney. While this courtesy is very much appreciated, since the Examiner did not reset the mailing date and the period within which to respond, applicant cannot respond in a timely manner.

Petitioner respectfully requests that the Final Office Action be re-mailed to Applicant's Attorney at the following mailing address, with a renewed mail-date, and the term for responding be reset with such mailing of the subject Final Office Action.

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745 Fifth Avenue  
New York, New York 10151

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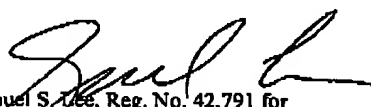
Prompt action has been taken pursuant to 37 C.F.R. 1.8(b).

It is believed that no fee is due for this Petition; however, if the Examiner deems that Petition Fee is due, then authorization is hereby given to charge Deposit Account No. 50-0320 with the Petition Fee.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:

  
Samuel S. Lee, Reg. No. 42,791 for  
William S. Frommer  
Reg. No. 25,506  
(212) 588-0800

## Patent Docket Log

**DOCKET SHEET - PTO BASE DATE 5/5/04**

Serial No.	Case Number	Country	Subcase	Action Type	PTO/Base Date
09/700168	45010102398	US		US-FINAL R116	05-May-2004
09/656971	45011002760	US		US-1 MO RESP	05-May-2004
09/440841	45010002186	US		US-FINAL R116	05-May-2004
09/872832	8300022003	US	1	US-1 MO RESP	05-May-2004
09/298752	4501004860	US		US-FINAL R116	05-May-2004
10/093113	45010003819	US		US-3MON ACTION	05-May-2004
09/853324	45013203312	US		US-3MON ACTION	05-May-2004
10/465264	45012702355	US	1	US-ALLOWANCE	05-May-2004
10/771685	45010004929	US		US-MISSG PT-FLG	05-May-2004